

Fox Theatre: 'Joe Has Been Misinformed'

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ATLANTA -- Fox Theatre officials issued a statement Wednesday that said that the man who has lived in Atlanta's theater for more than 30 years as its caretaker is welcome to stay there as long as he is able.

In a statement obtained by Channel 2 Action News, Kristen Delaney of the Fox Theatre said it appeared that Joe Patten, 83, had been "misinformed by his advisors" and that the new lease is only a

modification of the previous one.

The discussions over the lease come after the 83-year-old Patten, who is credited with saving the Fox from demolition and then a fire, said he had no plans of signing the new lease.

"Well, I mean, I made a serious mistake in saving this building on my part. It wasn't worth it," he said.

Patten said the new lease would allow him to stay as an "at will" tenant. That means either party could terminate the lease at any time. Patten said he hoped the board would reverse its decision.

In the Wednesday statement, Delaney explained that the new lease makes some changes due to Patten's age.

Delaney said, "All of this is part of a conversation that has been going on with Joe for the past several years."

Officials with the Fox said they have been receiving frequent calls from Patten's friends over the past two years asking staff to check on him when they haven't heard from him. "The entire conversation evolved out of our concern for Joe as he has required more and more assistance from our staff," said Delaney.

Delaney also said that Fox Theatre officials are not sure he has seen the new lease agreement for himself.

"Under the previous lease, there was a requirement for Joe to provide security for the building, which is no longer a requirement. In addition, the previous lease never contemplated the issues related to aging and assisted living. That is why a new occupancy agreement was written," Delaney said.

She went on to say that the Fox is a theater first and foremost. "It is a commercial facility and it is not designed for 24/7 elder care," Delaney said. She said the new lease addresses the elder care issue.

"The Board of Atlanta Landmarks, Joe included, have all known each other for over 30 years and all worked together to save this building. They are good people that are truly heartbroken that it has come to this," the statement read.

"Please allow us to be clear - that the Board of Atlanta Landmarks has never used the word "evict" and they did not vote to evict. It is their desire to have Joe remain in the apartment for as long as he is able. Last Friday the Board presented Joe's attorney with a new occupancy agreement, and they have not responded to it. This occupancy agreement continues to allow him to live at the Fox rent free, and the Fox will continue to pay the majority of his utilities as we have for the last 31 years," the statement concludes.

Without signing the new lease, Patten has 90 days to leave the Fox.

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